



DELAWARE STATE UNIVERSITY

OFFICE OF PLANNING & CONSTRUCTION

1200 N. DuPont Highway
Dover, Delaware 19901-2277

Addendum #4

Date: September 1, 2016

Project: Public-Private Partnership for Main Campus Real Estate Development

Contract: PC-16-021

The work herein shall be considered part of the bid documents for the referenced project and carried out in accordance with the following supplemental instructions issued in accordance with the Contract Documents without change in Contract Sum or Contract Time. Acknowledge receipt of addendum on the bid form as indicated.

Clarifications:

1. As a clarification, this project is a critical priority for the University. Any RFI schedule revisions are not related to a lack of interest by the University, but rather by an interest in being vigilant in response preparation to those interested in submitting on this project.
2. A final addendum will be issued as soon as possible with remaining documentation as indicated herein.

Questions & Responses:

ID	Question	Response
1	Is there statutory authority (or some type of regulation or policy statement) that authorizes DSU to negotiate a P3 agreement with a private developer and enter into a long-term ground lease of university land?	Statutory authority has been granted to the Delaware State University to enter into such an agreement. The State of Delaware code, Title 14, (Part III Delaware State University) § 6503(a), indicates as follows: The University shall have all the powers and franchises incident to a corporation, including the power to take and hold real and personal estate by deed, devise, bequest, gift, grant or otherwise, and the same to alien, sell, transfer and dispose of as occasion may require, and the proceeds thereof to reinvest in other property, funds or securities for the benefit of the University and in accordance with the spirit and purpose of its charter.
2	Has DSU engaged a financial advisor and a legal advisor to develop the RFI/RFP and to review and evaluate responses?	No. Delaware State University has developed the RFI in-house and an internal committee will review the responses. The University reserves the right to solicit professional services to assist with this project as an owner representative.
3	The Project Parameters don't speak to student rental/lease rates, which are often very important for state universities that need to show that affordability has been a major consideration in negotiating with the developer—does DSU have maximum rent requirements that need to be factored in?	There no maximum rent requirement that has been established, however, as indicated in the RFI (5.2.2) "the developer is solely responsible for securing tenants to occupy the facility and/or facilities." It is expected that the developer establish price points that are competitive and in alignment with the local real estate market for similar facilities.

4	Has a demand study been done to forecast student demand at different price points?	A demand study has not been conducted to establish price points. However, as indicated in the RFI (5.2.2) "the developer is solely responsible for securing tenants to occupy the facility and/or facilities." It is expected that the developer establish price points that are competitive and in alignment with the local real estate market for similar facilities.
5	If in fact a developer's proposal includes tearing down existing facilities, how will "swing space" be managed to allow for temporary housing if existing residence facilities are taken out of service?	Project sequencing should be conducted in a way that current housing capacity is never decreased.
6	Does DSU have the ability to issue its own bonds in connection with a project of this nature? Even if the developer is providing all the financing, having the option to borrow from DSU via a bond issuance might be helpful.	The University is not intending to issue bonds in connection with this project at this time.
7	Are DSU maintenance employees unionized? A DBFOM P3 model may require a project labor agreement to be negotiated with the unions that currently represent DSU employees performing similar tasks to what the employees of the developer would be performing.	For clarification purposes, the model for this project shall include a transfer component. Delaware State University does have a collective bargaining agreement with maintenance staff. This facility will be owned and maintained by the developer until the point of transfer. Accordingly, the local unions will have no jurisdiction over this facility until its operations are relinquished to the University.
8	Have any preliminary environmental or geotechnical studies been done with respect to any of the possible sites to determine construction feasibility, or is that a cost (and a contractual condition) that the developers will need to factor in?	Such studies are dependent upon recommended sites and should be assumed part of the design process being provided by the developer.
9	Are there any state construction requirements/specifications that need to be addressed with respect to the Early College High School facility?	Per the RFI, Section 9.2.20, the developer shall adhere to all state and federal laws. The Early College High School is a chartered by the Delaware Department of Education under the following application: http://ech.s.desu.edu/sites/desu.edu.echs/files/DSU%20Early%20College%20High%20School%20Charter%20Application.pdf . The facility must fall within the existing charter as required in Title 14 of the Delaware Administrative Code.
10	Can you please advise the approximate value of this contract? Is the capitalization over 100M?	The contract value is dependent upon the developers ability to structure a solution that meets or exceeds the submission requirements. There are optional considerations that have been put into play to enable developers maximum flexibility with a solution structure. Accordingly, the value will depend on the level of the response and the solution structure proposed.
11	Are the RFI responses public information?	The state code regarding the FOIA is being reviewed internally and direction will be given in the final addendum.
12	Could you please provide additional details on the current and historic housing occupancy rates?	Occupancy data trends will be provided or developer information. This information is being provided by the DSU Office of Institutional Research and Analytics and will be included in the final addendum.
13	Does DSU intend to procure housing demand study for the use by the bidders?	Occupancy data trends will be provided or developer information. This information is being provided by the DSU Office of Institutional Research and Analytics and will be included in the final addendum.
14	Has Del State conducted a student focus group related to unit type / living preferences / amenities? What unit mix is being prescribed by DSU for this project? (Traditional vs. Suite vs. Apartments)	A student focus group has not been developed for this specific purpose, however once under contract the University is willing to conduct any and all surveys needed for the developers use in programming development.
15	Could you please comment on your preference with regards to the term of the public-private partnership agreement and can bidders offer options?	Yes, options considered. The University's goal is to maintain developer flexibility with financing structure(s) with a term no greater than 50 years.
16	Under 5.2, 3. The university reserves the right to review and approve all landlord-tenant agreements prior to their execution. Could DSU make available their standard agreements?	The standard terms and conditions for University Housing and Dining can be accessed at the following link: http://www.desu.edu/sites/default/files/Terms%20and%20Conditions_University%20Housing%20and%20Dining%20Contract.pdf
17	Under 5.2, 4. The university reserves the right to review and approve the marketing of the facilities to DSU, students, faculty and staff. Is it DSU's intention to allow the private partner to market the	Correct, the intention is that DSU would monitor the private partners access to the students to ensure that the communication is aligned with all applicable policies and

	housing options to the students through the official channels available to the university?	procedures. In addition, these communications shall comply with all applicable codes, including the City of Dover. Any necessary permits are the sole responsibility of the developer.
18	Could you comment on any anticipated lease rent setting mechanisms?	It is expected that the developer establish price points that are competitive and in alignment with the local real estate market for similar facilities.
19	The project is procured as a DBFOM and Transfer. Could you please comment on the transfer criteria	The intent is that the developer (private partner) shall own the asset until the end of the contract when the ownership is transferred, in its entirety, to the Delaware State University.
20	How many first year students reside within the campus owned housing?	Per University policy, all first year students are mandated to live on campus. Due to facility capacity issues, there have been exceptions made to the policy to accommodate housing needs. Historic data will be provided in the final addendum.
21	Please provide as built documents for the following buildings? Tubman Hall, Evers, Laws Hall, Jenkins Hall, University Village complex, University Courtyard Apartments, Warren Franklin Hall	Available as-built documents and related information will be made available during a future phase of the development process and will not be made available to prospective developers.
22	Please provide a summary of the Planning Meeting with Dover that was to take place after the pre-bid meeting. Additionally, does Dover have planning jurisdiction over campus projects?	This planning meeting, held on July 14, 2016, consisted of a meeting between the Delaware State University Department of Planning & Construction and the City of Dover Department of Planning and Inspections. The meeting included a review of the RFI as well as the presentation included in Addendum #2. This meeting included a general overview of the University's current master plan, which has been provided. This meeting was not to propose or begin any permitting or submission process, but rather to inform the City of Dover of the potential for the project to occur in the future.
23	Please provide survey information of the 1570 N. DuPont site, the 420 College Avenue site and the 235 College Avenue site.	Available survey information will be made available during a future phase of the development process and will not be made available to prospective developers. It will be the responsibility of the developer to provide all necessary design and engineering services required to fulfill the requirements of the desired DBFOMT model.
24	Is all of the revenue from the housing inventory pledged toward Del State's existing debt obligations?	Yes.
25	Please provide any information that DSU may possesses related to parking capacity and utilization within the housing areas.	Current parking capacity meets or exceeds the local and AHJ recognized codes for standard and accessible spaces.
26	Please provide the shuttle bus schedule for the DSU owned housing at 1570 and 235 College Avenue.	Current shuttle bus schedule for 1570 N. DuPont can be obtained at the following link: http://www.desu.edu/sites/default/files/u643/LLC%20%20Campus%20Bus%20Schedules_101714.pdf Current shuttle bus schedule for main campus includes a stop at 255 College Road (University Courtyard) and can be obtained at the following link: http://www.desu.edu/sites/default/files/u1336/WinterFallSummer-Bus-Schedule.pdf
27	Please confirm that bidders will assume facilities management duties (hard FM) and DSU will retain the residence life function (soft FM components).	The developer will be responsible for all aspects of the maintenance and operations of the facility until transferred to the Delaware State University.
28	What does DSU attribute \$11.5 million in deferred maintenance to if the Warren-Franklin Hall was renovated in 2016?	The 2016 renovation was isolated to window replacement and single shower stalls, totaling approximately \$2.1 million in total construction value. As this work was under contract at the time the information was shared in the pre-proposal meeting, this is already reflected in the remaining deferred maintenance estimated at \$11.5 million. The remainder of this deferred maintenance includes building envelope, HVAC, and plumbing improvement needs.
29	University Village Apartments: What is the majority of the deferred maintenance attributable to?	The bulk of the deferred maintenance can be attributed to building envelope, HVAC, and interior construction/finishes.
30	Is the bed count that encompasses the hospitality floor to be added to the 425 bed count scope requirement OR is it to be included within the 425 bed requirement?	The desired bed count is 500 bed, which would include the hospitality area referenced in section 2.1.1 of the RFI.
31	As the second oldest building on campus is the Thomasson building	Based on the current master plan (provided as an exhibit to the

	still scheduled for demolition as per the Master Plan (Mid Term)? When will it be vacated for demolition and is it to be demolished as part of the project?	RFI), the Thomasson building is scheduled for demolition in the Mid-term, or 6-10 year forecast. This would project demolition to occur in the 2020 to 2024 timeframe. The building will be vacated when a definitive plan has been established for demolition. As indicated in the RFI (Section 2.2.1) the proposed model may include solutions for achieving master plan identified development.
32	When will the ETV building be vacated for demolition? When is it to be demolished?	Based on the current master plan (provided as an exhibit to the RFI), the ETV building is scheduled for demolition in the Mid-term, or 6-10 year forecast. This would project demolition to occur in the 2020 to 2024 timeframe. The building will be vacated when a definitive plan has been established for demolition, however the current programming in the facility would relocate to the proposed 50k square foot College of Education/Academic Building Addition north of the current ETV building.
33	Please provide the information for underground storage tanks / fuel tanks related to the buildings to the Thomasson Building, Tubman Hall and the ETV building.	Underground storage tanks / fuel tank information will be made available during a future phase of the development process and will not be made available to prospective developers.
34	Has a timeline been established for anticipated occupancy of the residential facility?	This project is top priority for the University. The intent is to complete initiate the project as soon as feasible. Actual timeline may vary depending on the size and complexity of the model structures that are considered.
35	Could you please issue the residential building occupancy statistics as soon as possible?	Occupancy data trends will be provided or developer information. This information is being provided by the DSU Office of Institutional Research and Analytics and will be included in the final addendum.
36	We understand that DSU has prepared a feasibility study for the proposed convocation center in 2014. Could DSU make the study available for the bidders?	A feasibility study was conducted for the proposed convocation center in 2014. The executive summary will be provided as part of the final addendum.
37	Is DSU open to a third party use of the convocation center alongside its function of hosting DSU events?	Shared use of the facility will be considered however, intended use and utilization rates should be included within RFI submission.
38	How much is the Delaware State University Early High School paying for the leased space at the DSU Living and Learning Commons?	This is currently an in-kind contribution from the University to the Early College High School charter school.
39	Could you please provide the list of the DSU facilities covered by the Johnson Controls energy efficiency project from 2011?	The following buildings were included in the 2011 Series Energy Efficiency Revenue Bonds issue by the Delaware Sustainable Energy Utility: Administration Building, Baker & Baker Extension Building, Baker Annex, Bank of America, Conrad Hall, Conwell Hall, E&H Building, ETV Building, Tubman Hall, Herbarium, Price Building, Mishoe Science Center - North & South, Laws Hall, Evers Hall, MLK Student Center, Jenkins Hall, Grossley Hall, U.S. Washington Jr. Extension, University Village 1, 2, & 3, Memorial Hall Gym, Strength & Conditioning Center, Wellness Center, and Jason Library.
40	Could you please provide a copy of the Johnson Controls Investment Grade Audit to bidders?	An investment grade energy audit was conducted in 2011. This information can be made available during a future phase of the development process and will not be made available to prospective developers.
41	During the construction phase are respondents permitted to demolish residential building(s) during the academic and summer terms?	This approach is acceptable. Project sequencing should be conducted in a way that current housing capacity is never decreased.
42	Could you please provide utility rate information if campus rates differ from local utility rates.	Utility rates for the main campus are not under a negotiated contract at this time and are subject to local consumption rates and fees.
43	What procedure would DSU like respondents to follow regarding submission of materials that we would like to be kept confidential, e.g. financial statements?	The state code regarding the FOIA is being reviewed internally and direction will be given in the final addendum.
44	Has DSU conducted any remediation works as it relates to asbestos	Testing and remediation of hazardous materials, including

	and hazardous construction material?	asbestos, should be assumed a requirement of the development process. Although select testing and remediation reports are available for nearly all buildings, the available data cannot be deemed all inclusive.
45	Please provide easement and underground utility information related to the housing area?	There are currently no underground utility easements in and around the existing residence halls. Existing underground utility information will be made available during a future phase of the development process and will not be made available to prospective developers.
46	Will there be a date for all teams to tour the existing halls?	Tours of the existing halls can be requested by submitting requests to constructionbid@desu.edu. Tours will be scheduled only at the convenience of the University and will not provide any additional information about the RFI requirements.
47	What is the ADA requirement for this student housing project? % of beds?	This project shall be designed to meet or exceed ICC/ANSI A117.1 standard, current version, as well as the federal 2010 ADA Standards for Accessible Design (https://www.ada.gov/2010ADASTandards_index.htm).
48	What is the height limit for buildings within the student housing areas?	The University has no preference. As indicated in the RFI, the developer shall include design services with the submitted model to address such detail. Height restrictions will be constrained by applicable codes, assuming code variances are not obtained for alternative recommendations.
49	How many parking spaces are available at parking site 9 (P9 – adjacent to Tubman Hall)?	Lot 9 currently has 32 parking spaces available.
50	Within addendum 2, pdf page 11, Warren Franklin only lists 135 beds. Please confirm that Warren Hall East's 193 beds are still used for student housing. Did the East wing also go renovation in 2016 and is the deferred maintenance amount similar?	The referenced quantity of 135 beds was a typographical error. The East and West wings of the building are currently used for student housing and were addressed as part of the Summer 2016 renovations. The referenced deferred maintenance number is a total for the East and West wings. The total building bed capacity is 328.
51	How many beds does the University want the building to be designed to hold?	The desired bed count is 500 beds, which would include the hospitality area referenced in section 2.1.1 of the RFI.

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